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1949-1950

Legal representation Los Angeles county

ANNUAL REPORT

OF

PUBLIC DEFENDER OF LOS ANGELES COUNTY

July 1, 1949, to June 30, 1950

ELLERY E. CUFF

PUBLIC DEFENDER

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REPORT OF THE PUBLIC DEFENDER

July 1, 1949, to June 30, 1950

The Public Defender's office of Los Angeles County was created by provisions in the County Charter and since the Charter's adoption has been one of the regular departments of Los Angeles County government.

The primary work of the office is to provide legal representation for persons accused of criminal offenses in the Superior Court and who are without counsel and without funds or property with which to employ such assistance. In this manner the right to the aid of counsel, guaranteed by the Constitution of the United States, by the Constitution of the State of California and by the Penal Code of the State, becomes a reality to the individual defendant.

The office also is required to give aid in a limited civil class by prosecuting actions for the collection of wages and other demands of persons who are not financially able to employ counsel in cases where the amount involved does not exceed $100 and in which it appears the claims are valid and enforcible. The office is also required to defend such persons in civil litigation in which it appears they are being persecuted or unjustly harassed.

In addition to the Charter provisions, the State law enacted in 1943 (Penal Code Sections 4852.01, et seq.) provides that persons previously convicted of felonies, who

have thereafter complied with certain conditions, may initiate proceedings for the restoration of civil rights and after court hearing apply for pardon. If he has no counsel he shall be represented by the Public Defender (see Section 4852.08, Penal Code). The work entailed in these procedures calls for meticulous care and accuracy and involves much detail.

The office for the year embraces the Public Defender, Chief Deputy Public Defender, and fifteen Deputy Public Defenders, all of whom must be attorneys regularly admitted to practice in all of the courts of the State. The attorneys are required to devote all of their time to the work of the office and are not permitted any outside private practice. The office also has an investigation staff of three. The clerical staff consists of one secretary, four law stenographers and one stenographer.

The main office of the Public Defender is located in the Hall of Records, in the Civic Center of Los Angeles. In February, 1948, a branch office was opened to serve the departments of the Superior Court in Long Beach. The Long Beach office is staffed with a Deputy Public Defender and a law stenographer. The criminal departments of the Superior Court functioning in Pasadena, Pomona and Santa Monica are served by deputies working out of the main office.

Reference is made to the investigation staff. The work of this staff is confined almost exclusively to the criminal jurisdiction of the office. The investigators'

duties are comparable to those of investigators in any private law office or in the District Attorney's office, locating witnesses and making field investigations of cases assigned to them by trial deputies in the department. It would seem proper to point out that this phase of the work of the office has resulted in economies.

Through careful investigation we have been able to dispose of many cases which otherwise would have had to be tried, and in almost every trial in which there has been an investigation the duration of the trial is shortened by reason of the fact that the trial deputy is fully advised as to the evidence to be presented and is able to present it expeditiously. Thus substantial savings in trial costs are accomplished.

COMPOSITE STATISTICAL RECORD
OF CRIMINAL WORK OF OFFICE FOR
FISCAL YEAR JULY 1, 1949, TO JUNE 30, 1950

Number of new cases received:

Los Angeles	3,716	felonies (includes Pasadena, Santa Monica and Pomona)
Long Beach	326	felonies
Contributing to delinquency	185	misdemeanors
Violations of Probation:		
Los Angeles	277	(includes Pasadena, Santa Monica & Pomona)
Long Beach	55	
Civil Insanity for Jury Trial	26	
Miscellaneous proceedings:		
Motions to Modify Probation:		
Los Angeles	20	
Long Beach	4	
Psycho. Delinquent Petitions	6	
Habeas Corpus Petitions	3	
Juvenile Petitions	4	
Rehabilitation Proceedings initiated	55	
	4,677	

The number of cases handled in 1948-1949 was 3,733 or an increase of 944 for 1949-1950.

Unfinished cases:	Los Angeles, (including Pasadena Santa Monica and Pomona	Long Beach
Trials	151	10
Probation and Sentence	204	24
Pleas	44	5
Other Miscellaneous Proceedings	9	1
	408	40

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SUMMARY OF DISPOSITIONS OF CRIMINAL CASES

JULY 1, 1949, TO JUNE 30, 1950

Disposition		Number of Cases
Pleaded guilty:		
Master Calendar Departments	1,704	
Trial Departments	986	2,690
Substituted out - no pretrial preparation		158
Substituted out - after pretrial preparation		227
*Dismissed, placed off calendar or otherwise disposed of without trial		383
Contributing to delinquency - handling preliminary hearing but later disposing of without trial by plea of guilty, off calendar or *dismissal		167
Trial by jury (to verdict)		159
Trial by court (to verdict)		614
Civil insanity:		
By jury to verdict		23
By court to verdict		5
Substituted out after trial commenced		1
		4,319

*A number of dismissals occurred after full investigation disclosed evidence proving the defendant's innocence and such evidence turned over to the District Attorney who after verifying would dismiss. Thus a good number of useless trials were avoided.

Appeals: One appeal was taken during the year.

STATISTICAL RECORD OF THE CRIMINAL WORK OF THE OFFICE IN THE BRANCH COURTS OF PASADENA, SANTA MONICA AND POMONA.

JULY 1, 1949, to JUNE 30, 1950

Number of Cases:	Pasadena	Santa Monica	Pomona
New cases	156	172	77
Violations of Probation	5	9	43
Motions to modify probation	2	1	3
	161	182	123

The large number of probation violations handled by the Pomona court is attributed to the fact that the judge there had presided in a criminal department in Los Angeles for a number of years previous and the cases he handled there in which probation was granted were transferred to Pomona when a violation of probation charge was filed. In a year or two more this type of appearance will subside to but a few a year. However, the violations of probation in Los Angeles would have a corresponding increase.

As to the branch courts in Pasadena, Santa Monica and Pomona it is well to note the increase over the previous years:

	1948-49	1949-50
Pasadena	156	161
Santa Monica	172	85
Pomona	77	25 (6 months)

CIVIL JURISDICTION
JULY 1, 1949, to JUNE 30, 1950

Applications in which advice was given		8,212
Applications rejected:		
(a) Refused	160	
(b) Referred to attorney	1,613	1,773
*Applications referred to other agencies and unclassified		3,215
Accepted cases (see next table)		2,473
Total applications for assistance		15,683

*Because the subject matter was not within the office jurisdiction - (example - real property) or applicant able to pay a fee.

DETAIL OF ACCEPTED CASES

Illegal attachments - garnishments	1,600
Guardianships	207
Persecutions - other than exemptions and invalid assignments	154
Wage claims and miscellaneous	278
Waivers of premarital test	167
	2,436

RECOVERED FOR CLIENTS

Wages released from illegal attachments - garnishments	$74,013.38
Defense in civil cases	3,790.26
Goods released	627.44
Wages collected	none
Miscellaneous items	140.00
Collected on cases pending 7/1/49	161.44
	$79,977.96

Total appearances in court on civil cases 977

All figures regarding civil cases include the Long Beach office.

JULY 1, 19[illegible], to JUNE 30, 1950

Criminal cases handled	716
Civil cases handled	[illegible]
Total cases received for investigation	[illegible]
Defendants represented, criminal	[illegible]
Persons interviewed in field	[illegible]
Persons interviewed at interview	[illegible]

BUREAU OF INVESTIGATION
CHARGES INVESTIGATED
JULY 1, 1949, to JUNE 30, 1950

Robbery	166	288 & 288A, Penal Code	51
Att. Robbery	17	Contributing	10
Receiving Stolen Property	3	Child Stealing	2
Section 556	1	Rape	15
Burglary	149	Att. Rape	2
Att. Burglary	11	Incest	3
Attack Deadly Weapon	97	Att. Incest	1
ADW/Murder	16	Forgery	78
Assault/Force	1	CNCP	73
Assault/TPI	17	503 V.C.	36
Assault/Robbery	2	480 & 501 V.C.	17
Assault/Rape	5	Arson	6
Section 273d	6	Att. Arson	1
Murder	24	Malicious Burning	1
Manslaughter	4	Escape	2
Mayhem	4	Parole	1
Grand Theft	82	Violation of Probation	1
Att. Grand Theft	2	Sexualization	4
Grand Theft/Person	28	Narcotics	48
Petty Theft	20	Viol. D.A.C.L.	10
Bookmaking	2	Kidnapping	6
Violation Election Code	2	Att. Kidnapping	1
Civil	28	Kidnapping/Robbery	30
Att. Grand Theft/Person	1	Miscellaneous	12
		TOTAL CHARGES INVESTIGATED	1,101

FINANCIAL REPORT

OF

PUBLIC DEFENDER OF LOS ANGELES COUNTY

July 1, 1949, to June 30, 1950

MONEYS RECEIVED

Total amount of moneys collected and received for and on behalf of the persons represented by the Public Defender under the law. Said moneys were collected from claimants for costs and from defendants indebted to said persons so represented:	$982.40

No moneys belonging to the County of Los Angeles were collected.

MONEYS EXPENDED

Total salaries paid		$142,946.78
Total Outlay Expenditures:		
Law Books	137.21	
Furniture & Furnishings	606.58	743.79
Total Maintenance & Operation		1,374.73
		$145,065.30

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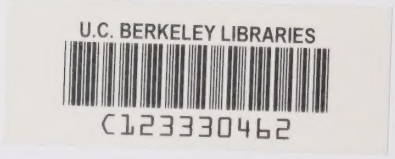

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